

independent school district; providing that all funds held for public school purposes and to be used in the territory included in the new district shall be turned over to the trustees of the new district as herein provided may be created; provided that any outstanding bonds or indebtedness of the old district may, upon an election being held in the new district, be paid by a tax duly levied in the new district: provided other incidental provisions, and declaring an emergency,"

And find the same correctly engrossed.
PRICE, Vice-Chairman.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, January 29, 1923.
Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred
H. C. R. No. 7, Thanking matrons of the Scottish Rite Dormitory.

Have carefully compared same and find it correctly enrolled, and have this day, at 11 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

SEVENTEENTH DAY.

(Continued.)

(Tuesday, January 30, 1923.)

The House met at 10 o'clock a. m., and was called to order by Speaker Seagler.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Finlay:

H. B. No. 353, A bill to be entitled "An Act to prescribe a closed season for the hunting of blue quail or scaled quail in Lampasas county, Texas, and to provide adequate penalties for the unlawful taking, slaughter, storage, or possession of same; to repeal all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Finlay (by request):

H. B. No. 354, A bill to be entitled "An Act to regulate motor-driven vehicles operated on highways of Texas, by requiring each owner to equip said motor-driven vehicle with a red mechanical semaphore blade as a signal; and defining signals, and providing penalties, and providing for an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Abney:

H. B. No. 355, A bill to be entitled "An Act to amend Article 791 of the Code of Criminal Procedure of the State of Texas in order to allow persons charged as principals, accomplices and accessories, whether they be charged as such in the same indictment or information or different indictments or information, to be introduced as witnesses for one another, but not preventing any person so charged from claiming a severance."

Referred to Committee on Criminal Jurisprudence.

By Mr. Abney:

H. B. No. 356, A bill to be entitled "An Act to amend Section 2 of Part 4 of Chapter 179 of the General Laws of the Regular Session of the Thirty-third Legislature as amended by Section 2, Part 4 of Chapter 103 of the General Laws of the Regular Session of the Thirty-fifth Legislature, the purpose of this amendment being to provide that insurance companies contracting to pay under the provisions of the Compensation Act shall file with the Commissioner of Insurance its classification of premiums, which shall not take effect until the Commissioner of Insurance has approved same as adequate to the risk to which they apply, and which shall not be greater than the rates charged by the Texas Employers Insurance Association, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Pope and Mr. Rogers:

H. B. No. 357, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office of the State of Texas to issue an oil and gas lease to Mrs. Virgie D. Hardee, her heirs or assigns, for a term of five years, and subject to renewal for ten years if oil or gas should be found in paying quantities, upon the seventy-six and one-half acres

in San Jacinto Bay, Harris county, that was heretofore included in oil and gas permit No. 2168, issued by the Commissioner of the General Land Office to the said Mrs. Hardee on August 2, 1917, and to H. M. Holden, his heirs or assigns, for a like term of five years upon the 703.86 acres in Nueces Bay, Nueces county, that was heretofore included in oil and gas permit No. 5242, issued by the Commissioner of the General Land Office to the said Holden on October 17, 1919, and R. L. Garrett, his heirs or assigns, for a like term of five years upon the 991.48 acres in Nueces Bay, Nueces county, Texas, that was heretofore included in oil and gas permit No. 5246, issued by the Commissioner of the General Land Office to the said Garrett on October 17, 1919, conditioned that the respective owners of said leases shall pay to the General Land Office, in advance each of the five years, for the benefit of the available school fund, a sum of money equal to twenty-five cents per acre for the first year, fifty cents per acre for the second year, seventy-five cents per acre for the third year and one dollar per acre for the fourth and fifth years; provided, no further sum per acre shall be paid after oil and gas shall have been developed in paying quantities and a royalty begins to be paid and continues to be paid monthly, equal to one-eighth of the value of the gross production of oil and gas; providing for forfeiture and reinstatement, and declaring an emergency."

Referred to Committee on Oil, Gas and Mining.

By Mr. Coffee and Mr. Carter:

H. B. No. 358, A bill to be entitled "An Act to amend Article 7092, of Title 121, of the Revised Civil Statutes of 1911, relating to the use of seals and scrolls and providing that hereafter the use of seals and scrolls shall be unnecessary in the case of individuals and of corporations, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Coffee and Mr. Carter:

H. B. No. 359, A bill to be entitled "An Act prescribing the number of votes each stockholder may cast at stockholders' meetings; prescribing who shall vote said stock; providing that said stock may be voted by proxy given within one year next preceding the stockholders' meeting; and prohibiting

the voting of fractional shares of stock, except where the owners pool the same and vote the whole share or shares resulting therefrom, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Coffee and Mr. Carter:

H. B. No. 360, A bill to be entitled "An Act to amend Article 1173, Title 20, Chapter 3, of the Revised Civil Statutes of the State of Texas of 1911, providing how corporations may convey land and dispensing with the use of a seal or scroll in conveying land, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Fugler, Mr. Henderson, Mr. Sanford, Mr. Burmeister, Mr. McNatt, Mr. Stewart, Mr. Harrington, Mr. Perdue, Mr. Downs, Mr. Merriman, Mr. Green, Mr. Russell, Mr. Baker, Mr. Johnson, Mr. Teer, Mr. Pool, Mr. Collins and Mr. Sackett:

H. B. No. 361, A bill to be entitled "An Act to amend Section 16, of Chapter 190, of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Section 2, of Chapter 71, of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Section — Chapter 113, of the General Laws of the Regular Session of the Thirty-sixth Legislature, as amended by Chapter 131, of the General Laws of the Regular Session of the Thirty-seventh Legislature, as amended by Chapter 52, of the General Laws of the First Called Session of the Thirty-seventh Legislature, providing for, and increasing the annual license fees on motor vehicles; providing for applications for registration; providing for annual license fees for trailers and semi-trailers and tractors; providing penalties for failure to comply with the provisions of this act; providing certain described vehicles shall not be licensed or operated on public roads; providing for exceptions and special permits; amending Section 3, of Chapter 73, of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Section 4, Chapter 113, of the General Laws of the Regular Session of the Thirty-sixth Legislature, relating to disposition of fees collected hereunder; providing for maintenance by the State and declaring in-

creased fees primarily a trust fund for such maintenance; providing that in event any section or provision of this act shall be held unconstitutional, the same shall not affect any other section or provision; and repealing all laws in conflict with this act."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Lamb:

H. B. No. 362, A bill to be entitled "An Act to amend Article 3883 of Chapter 4 of the General Laws of the State of Texas as passed by the Thirty-sixth Legislature at its Third Called Session, 1920, entitled 'An Act to amend Article 3883 of Chapter 130 of the General Laws of the State of Texas, passed by the Thirty-fifth Legislature at its Regular Session, regulating the fees allowed county officers in certain counties in this State, and declaring an emergency,' so as to add to and to include in the counties of this State therein referred to such counties in this State wherein the taxable values are not less than \$40,000,000 nor more than \$60,000,000, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Rogers:

H. B. No. 363, A bill to be entitled "An Act to direct and authorize the county commissioners courts of all counties in the State of Texas to construct, at all points where county roads or State highways cross at grade a steam railroad or interurban line, a safety crossing device of any character which makes or tends to make automobiles or other vehicles reduce the speed when crossing said railroads, or interurban lines, and to provide a penalty for drivers of automobiles or other vehicles, or other persons, for failing to use said device when constructed, and for destroying or mutilating said device, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. LeSturgeon, Mr. Davis and Mr. Sackett:

H. B. No. 364, A bill to be entitled "An Act to provide for the licensing of public classers; providing for boards of examiners to be appointed by the commissioner to examine applicants who desire to be licensed as public classers of cotton, grain, hay, wool, rice, and

other farm, ranch and orchard products, where such products have been standardized; setting out the contents of the application and providing for an examination fee; requiring such classers to keep complete records of their work and to keep on hand certain standards of grades; providing for the settlement of disputes as to doubts or differences of classers of commodities; providing for granting licenses to Federal classers, and to graduates of colleges without examination; providing for revoking a license; giving the commissioner authority to make rules and regulations to carry out the provisions of this act; providing penalties for the enforcement of this act, and repealing certain articles of the statute and all laws and parts of laws in conflict with this act, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Fields:

H. B. No. 365, A bill to be entitled "An Act providing for the licensing of classers and weighers for commodities received into public warehouses; providing for the issuance of certificates of class and weight; providing for regulation of fees to be charged by licensees, and providing for the collection and disposition of a certain percentage of such fees; providing for the use of a seal and prescribing its form; authorizing the commissioner to prepare and furnish all blanks for the use of licensees; providing for bond and regulating the amount of such bond; requiring monthly reports to be filed by licensees and defining the contents of same; giving the commissioner authority to revoke any license on certain conditions, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Quaid and Mr. Faubion:

H. B. No. 366, A bill to be entitled "An Act making an appropriation for printing to the State Department of Education to print the necessary blanks and bulletins pertaining to the scholastic year 1922-1923, and in order that bulletins, forms and blanks for the public schools may be prepared as nearly as possible by the opening of the scholastic year of 1923-24, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Dielmann, Mr. Williamson and Mr. LeSturgeon:

H. B. No. 367, A bill to be entitled "An Act to amend an act passed by the Thirty-second Legislature of the State of Texas, at its Regular Session creating the county court of Bexar county for civil cases, by House bill No. 111, approved on February 20, 1911, as found on pages 15, 16 and 17, of the session laws of said Legislature, by adding another section thereto, to wit: 'Section 12a, providing for the appointment of an official shorthand reporter for said court for the purpose of preserving a record in all cases tried in said causes; providing for the salary and fees of such shorthand reporter, and providing for additional costs to be taxed in each case now pending and hereafter to be filed in said court, and declaring an emergency.'"

Referred to Judiciary Committee.

By Mr. Downs, Mr. Abney and Mr. Jennings:

H. B. No. 368, A bill to be entitled "An Act to amend Sections 2 and 3 of Chapter 38 of the General Laws of the Regular Session of the Thirty-sixth Legislature so as to provide that examinations for license as attorney at law shall be held in each supreme judicial district; fixing the time for holding such examination; providing who shall conduct such examinations, and providing for the expense thereof."

Referred to Judiciary Committee.

By Mr. Turner:

H. B. No. 369, A bill to be entitled "An Act amending Article 7057 of Title 126, Chapter 11 of the Revised Civil Statutes of the State of Texas, by adding theret o subsection 11a thereof, exempting all property converted to use after the passage of this bill in manufacturing of cotton or woolen goods within the State, from taxation for a period of five (5) years from the passage of this bill, and declaring an emergency."

Referred to Committee on Commerce and Manufactures.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 110, to the Committee on Banks and Banking.

Senate bill No. 103, to the Committee on Education.

Senate bill No. 184, to the Committee on Criminal Jurisprudence.

Senate bill No. 52, to the Committee on Banks and Banking

Senate bill No. 32, to the Committee on Judicial Districts.

BILL RECOMMENDED.

On motion of Mr. Frnka, by unanimous consent, House bill No. 267, reported adversely with a minority favorable report, was recommitted to the Judiciary Committee.

HOUSE BILL NO. 219 ON ENGROSSMENT.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 219, A bill to be entitled "An Act levying an inheritance or transfer tax on property passing by will or by descent or by grant or gift, taking effect on the death of the grantor or donor; repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

Mr. Smith asked unanimous consent of the House to withdraw the bill from further consideration by the House, the enacting clause having been omitted from the original text of the bill.

There was no objection offered.

MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, Secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Governor's Office,

Austin, Texas, January 30, 1923.

To the Members of the Thirty-eighth Legislature:

The manufacturing business is age-old. Through all the centuries the countries which have manufactured the natural products and made them ready for the consumer, have become wealthy, while those countries which have been content merely to bring forth from the earth these natural resources, and sell them as raw material have gained but little of the wealth of the world. Texas furnishes a striking example of this

self-evident truth. We have never realized nor appreciated the matchless possibilities Texas offers to the business world for manufacturing within our own borders the natural resources and productions of our State. The textile industry has greater possibilities in Texas than any other country in the world. We have been prodigal of our productions and wasteful of our resources.

Cotton Mills Should be Built in Texas.

One-fourth of the cotton of the world is grown in Texas fields, yet we operate only a few small cotton mills. Above all things, cotton manufacturing should be developed in Texas, and established as one of our foremost industries. Why should we ship our three million bales of cotton a year to the New England States, and, after it is manufactured there into the finished product, ship it back to the people of Texas who grew the cotton? The Texas farmer raises a bale of cotton and sells it for a hundred dollars, and then buys it back in cloth for not less than a thousand dollars. There is no reason why Texas cotton should not be turned into finished products in Texas mills, and these products, after supplying our own demands, should go through Texas ports along our southern shores, to be carried by the ships of commerce to every harbor upon the broad seas.

North Carolina Has Climbed from Poverty to Opulence.

North Carolina furnished a striking example of what a people can do along the line of manufacturing. Only a few years ago North Carolina was a poor State. It had but few natural products, and its soil was nonproductive. It raises but little cotton. However, her people, with vision and determination, turned their attention to the manufacturing industry. That State now has more than six thousand manufacturing plants, with an annual pay roll of \$130,000,000 to her wage earners. Not only is every bale of cotton raised in North Carolina manufactured into cloth in North Carolina mills, but that State buys Texas cotton and runs it through her mills, and on account of the cotton manufacturing industry alone, North Carolina is rapidly becoming one of the wealthiest States in the Union.

A World of Raw Material Ready For the Spindles.

Although we have the largest sheep

ranches in the world, and the largest wool market on earth, we have no woolen mills. We produce the major part of the mohair of the world. We ship every pound of it to the New England States, to be made into suits of clothes and then shipped back to Texas. Both the profit and the wages incident to the manufacture and distribution of this mohair enrich a people who never saw an Angora goat. With the largest cattle ranches in all the land, we get most of our beef from northern packeries and an ocean of milk out of northern cans, and at the same time we buy annually over a half million pounds of butter from dairies out of the State. We sell a steer for seventy-five dollars, pay freight on him to Kansas City and a little later buy him back in chipped beef for eight hundred dollars. Why not can him here and keep the horns, hoofs, hide and hair for running expenses? Texas is now among the leading hog raising States of the Union, and yet our smokehouse is in Chicago. With fruits and vegetables rotting in our fields, our back yards are filled with empty cans bearing a California label. We can grow enough broom corn to supply the nation, and yet it is hard to find a woman who sweeps her home with a Texas-made broom. With a million cowhides a year skinned from Texas cattle, all our shoes are made in foreign factories.

Must Build Factories in Texas or Write Another "Paradise Lost."

Is there any good reason why we should ship our cotton, our wool, our cattle and other products of Texas a thousand miles, and even across the ocean, for other people to reap all the profit before the finished articles reach the hands of the consumer? Why should we permit this stream of gold to flow out of the State each year? To turn our raw materials into the finished product would mean more to Texas than all her oil wells. If we can make a living by merely growing cotton, and other States and countries can become wealthy and more prosperous than we are by manufacturing our output, it goes without argument that if we ourselves will do our own manufacturing, Texas, by leaps and bounds, will quickly mount to the pinnacle of wealth and power. In just a few years we would become the wealthiest country in the world. Manufacturing industries, therefore, of all kinds, should be established

here in Texas, where natural resources abound. Let the whirl of wheels and the click of factories, as they consume our raw material, join in the glad song of our natural prosperity. Let the sky that bends at night above our farms and ranches be lighted with the blaze from our factories' furnaces. Let argosies of commerce from around the world drop anchor along our Texas shores from Port Arthur to Point Isabel, to be loaded with the finished fabrics of our fields and forests. Let these ships of trade laden with Texas products make of the Gulf of Mexico the Mediterranean of the New World. Let Texas be known in all countries, not only as a leading producer of the products of the soil, but as an empire, as she has a right to be, in the manufacturing world.

One of the important factors in making Texas such a land is to turn the great economic loss that we have been suffering so many years, into a great profit, by the building of factories alongside the cotton fields, the cattle and sheep ranches, and by the natural homes of the vast and varied products of this wonderful country of ours. No State ever grew to greatness by merely producing raw material.

We Fight a Losing Battle for Bread.

The laborer in Texas fights an unfair battle for bread. He is aroused at an early morning hour by a New England alarm clock, puts on his overalls made in New York, pulls on his boots bearing a St. Louis name, washes his face with Massachusetts soap in an Ohio bowl, sits down to his breakfast on a chair and at a table made in Wisconsin, and eats Kansas bacon, Missouri biscuit, Michigan potatoes and corn flakes put up at Battle Creek, when as a matter of fact, the raw materials of all these commodities are produced in Texas as nowhere else in the world. This same citizen sleeps at night on an iron bed, cooks his meals on an iron stove, plows his field with an iron plow, travels over iron rails by means of an iron engine, all made in Pennsylvania, notwithstanding Texas has enough iron ore to supply all our wants for a hundred years to come. If this citizen happens to be a cotton grower, he plants his cotton with a cotton planter made out of the State, hoes it with a hoe made out of the State, plows it with a cultivator made out of the State, picks it and puts it into a cotton sack made out of the State, loads it on a wagon

made out of the State, gins it on machinery made out of the State, exchanges it for cotton goods made out of the State, sleeps at night on a cotton mattress and under a cotton sheet made out of the State, and at last he is buried in a lonely Texas grave, wrapped in a cotton shroud fashioned and formed by foreign hands. We have lost all our wisdom if we continue the policy of permitting our labor and raw material to enrich the people of other lands.

An Open Market at Our Door.

Not only does Texas have abundant raw materials and manufacturing possibilities, but the geographical location of the State gives it an advantage over most of the other countries as a distributing point for the production of the mills and factories. We should supply not only our own country, but Mexico and all of the Latin-American countries with cloth woven by Texas people on Texas looms. These nations are now, as never before, heavy consumers of cotton goods. They are buying now ten times more cotton goods than they did just a few years ago. Mexico, soon, I trust, to be recognized as a Republic by the American Government, will open right at our door a new and broad field for Texas trade. Cotton mills will help to develop and hold this trade.

Factory Wheels Will Turn as Fast in Texas as at Any Other Place in the World.

There is no reason why industrial plants should not be established in Texas. We produce the raw materials; we have the climate; we have oil and gas and coal; we have rivers unharnessed and unused that will produce each year, so engineers say, enough power to turn the wheels of all industries necessary to manufacture all of the raw materials of the State. If our Texas streams were in the New England States, their banks would be lined with textile manufacturing establishments, giving jobs to the jobless, homes to the homeless, food to the foodless, and hope to the depressed.

Texas Should Encourage Factory Building.

Texas should make conditions conducive to the building of factories in this State. Those who would build our factories should be assured that their investments would not be disturbed by

radical legislation. Those who labor in industrial institutions should be assured that their rights would be safeguarded. Some legislation in regard to taxation that would encourage and protect infant industries should be passed. The State should assist in the location of, and in providing for waterpower sites along our streams. Our Gulf ports should be deepened so as to provide ample shipping facilities. The working out of a better transportation system will be helpful. There should be fostered at once in connection with one of our established institutions of learning, a textile department where our boys and girls will be taught how to turn our raw material into finished product. The Creator endowed this State with abundant natural resources and now it is up to the people of Texas to do their part to see to it that we are not deprived of the wealth that is justly ours. To do some of the things necessary to be done to establish factories in Texas, it would be necessary to amend the present Constitution. The present Constitution is a stumbling-block in the way of much constructive legislation that ought to be enacted.

Respectfully submitted,
PAT M. NEFF,
Governor.

HOUSE BILL NO. 305 ON SECOND READING.

On motion of Mr. Satterwhite, by unanimous consent, the regular order of business was suspended to take and have placed on its second reading and passage to engrossment

H. B. No. 305, A bill to be entitled "An Act providing for uniformity in ad valorem taxes for State purposes; creating a State tax board; amending Articles 7407, 7408, 7409, 7411, 7414, 7418 and 7423, Revised Civil Statutes, and adding to Chapter 4, Title 126, two new articles to be numbered Articles 7411a and 7411b, so as to effectuate the purpose of this act, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

On motion of Mr. Satterwhite, further consideration of the bill was postponed until 2 o'clock p. m. today.

ADDRESS BY HON. W. P. HOBBY.

Mr. Merriman offered the following resolution:

Whereas, Hon. W. P. Hobby, former Governor of this State, is now within the bar of the House of Representatives; and

Whereas, As his administration as Governor of this State was distinguished by much legislation of a constructive nature; therefore, be it

Resolved by the House of Representatives, That the Hon. W. P. Hobby be invited to address the House on any subject he may choose for a short time.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort Hon. W. P. Hobby to the Speaker's stand:

Messrs. Arnold, Melson and Quaid.

The committee having performed their duty, Speaker Seagler presented Mr. Arnold, who in turn introduced Hon. W. P. Hobby.

Hon. W. P. Hobby then addressed the House.

HOUSE BILL NO. 132 ON SECOND READING.

On motion of Mr. Fields, the regular order of business was suspended to take and have placed on its second reading and passage to engrossment

H. B. No. 132, A bill to be entitled "An Act to amend Article 465 of the Code of Criminal Procedure of the State of Texas, and to further define the mode of prosecuting the offense of perjury in certain cases."

The Speaker laid the bill before the House, and it was read second time.

Mr. Price offered the following amendment to the bill:

Amend House bill No. 132, page 1, line 28, by inserting in said line after the word "statement," the words "knowingly and wilfully."

The amendment was adopted.

Mr. Abney offered the following amendment to the bill:

Amend House bill No. 132: Strike from line 11 figures "453," and insert in lieu thereof "465;" strike out from line 13 figures "463" and insert in lieu thereof "465."

The amendment was adopted.

Mr. Abney offered the following amendment to the bill:

Amend House bill No. 132: Insert in line 12, between words "hereafter" and "as" the word "read."

The amendment was adopted.

Mr. Faubion offered the following amendment to the bill:

Amend House bill No. 132, line 14, by striking out the word "and" and insert in lieu thereof the word "an."

The amendment was adopted.

Mr. Carpenter of Matagorda offered the following amendment to the bill:

Amend House bill No. 132, line 35, by striking out the word "particularly," and insert the word "particularity."

The amendment was adopted.

House bill No. 132 was then passed to engrossment.

HOUSE BILL NO. 136 ON SECOND READING.

On motion of Mr. Henderson of Marion, the regular order of business was suspended to take and have placed on its second reading and passage to engrossment,

H. B. No. 136, A bill to be entitled "An Act amending Section 39 of Chapter 42, General Laws of the First Called Session of the Thirty-seventh Legislature, relative to public roads and highways, so as to except and exempt from the provisions of said chapter the county of Marion, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

On motion of Mr. Henderson of Marion, further consideration of the bill was postponed until 3 o'clock p. m. today.

BILL RE-REFERRED.

On motion of Mr. Winfree, House bill No. 348 was withdrawn from the Committee on State Affairs and referred to the Committee on Revenue and Taxation.

HOUSE BILL NO. 169 ON SECOND READING.

On motion of Mr. Pope, the regular order of business was suspended to take and have placed on its second reading and passage to engrossment,

H. B. No. 169, A bill to be entitled "An Act amending Section 3 of an act passed at the Regular Session of the Thirty-sixth Legislature of the State of Texas, entitled 'An Act to provide for the purchase and distribution by the State of free text books to the public school children of the State of Texas,' etc., being Senate bill No. 118, Chapter 29, of said Regular Session laws; repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Question—Shall the bill be passed to engrossment?

INVITATION TO MEMBERS TO VISIT RIO GRANDE VALLEY.

The Speaker laid before the House and had read the following communication:

To the Members of the Senate and the House of Representatives of the Thirty-eighth Legislature:

In behalf of the citizenship of the counties of the most southern part of Texas, composing what is known as the marvellous Rio Grande Valley and adjacent territory, we hereby most joyously and cordially extend to you an invitation to make a week-end visit to said territory.

In extending this invitation, we do so with the candid belief and sincere hope that it will prove, not only of pleasure to you, but of benefit and profit to the State that you have the honor to represent. This portion of Texas in years past being considered, on account of distance and transportation facilities, more or less inaccessible may not have been visited by many of those composing the membership of the Thirty-eighth Legislature. In recent years, there has been such marvellous development in this section and the heretofore undeveloped has been made to give large returns for the support of the State government and in turn it has received generous consideration, makes it imperative that those who represent the State shall know more about this remote portion of Texas and make our State lawmaking body more familiar therewith.

The citizenship of the places to be visited has provided a train of eight sleepers, with baggage cars and a private car to be used as an office for the purpose of sending and receiving messages and tending to such individual business as the members may be required to look after on the trip.

The proposed schedule of the trip will be approximately as follows: Leave Austin 1 o'clock p. m. February 1, 1923; arrive in San Antonio 4 o'clock p. m. February 1, 1923; leave San Antonio 11:30 o'clock p. m. February 1, 1923; arrive in Corpus Christi 7 o'clock a. m. February 2, 1923; leave Corpus Christi 11 o'clock a. m. February 2, 1923; arrive Kingsville 1 o'clock p. m. February 2, 1923; leave Kingsville 6 o'clock p. m.

February 2, 1923; arrive Mercedes 6 o'clock a. m. February 3, 1923; tour of the Rio Grande Valley February 3, 1923; leave Rio Grande Valley 11 o'clock p. m. February 3, 1923; arrive Mirando City 7 o'clock a. m. February 4, 1923; leave Mirando City 9:30 a. m. February 4, 1923; arrive Laredo 10:30 o'clock a. m. February 4, 1923; leave Laredo 11 o'clock p. m. February 4, 1923; arrive in Austin 7 o'clock a. m. February 5, 1923.

While in San Antonio, the institutions supported by the State will be inspected and the citizens of San Antonio have tendered an informal dinner and sight-seeing tour of the city, including a trip through San Antonio's new cotton mills.

While in Corpus Christi, the citizenship of Corpus Christi have tendered breakfast, a boat ride, an inspection tour of the city including the proposed site and plans for port development.

While in Kingsville the citizenship of Kingsville have tendered an old fashioned barbecue, inspection of the location for South Texas Normal, the famous Santa Gertrude's ranch and dairy herds, and the Kingsville cotton mill and the splendid service which it renders to the cotton growers of that section.

While in the Rio Grande valley, the citizenship of Hidalgo county have tendered entertainment at, along or near or over into or thereabouts, the republic of Mexico. If, perchance, the Rio Grande river be crossed, your attention will be directed to the necessity of proposed international agreements as are necessary to protect the interests of Texas citizens and Texas soil, and particularly at this time to the importance of passing the bill accepting as a part of Texas soil, what is known as the "Bancos" of the Rio Grande river in accordance with the recent act of the Federal Congress relating thereto. Your attention will also be directed to the necessity and importance of the location of the experimental farm in the citrus fruit region of that part of the State.

While in Mirando City, Texas' newest oil field, you will see the enormous expenditure of money for the development of the natural resources of this State.

While in Laredo, you will see the great new international bridge connecting Laredo, Texas, with Nuevo Laredo, Mexico, and become acquainted with one of the principal gateways between Texas and Mexico and all other places of State and national importance.

The train and accommodations on this trip are tendered free to you for the purpose of having you view and obtain first hand information concerning this great territory. We think it the most marvelously developing and rapidly growing portion of this great State.

The Chambers of Commerce of these various sections, which have this matter in charge, and the citizens generally whom they represent, most sincerely hope that you unanimously accept this invitation and be our guests on this trip.

In order that proper accommodations may be provided, we ask that you furnish W. R. Montgomery and E. D. Dunlap with a list of the names of those making the trip. We will make Pullman car berth accommodations in such manner as will most conveniently accommodate all those who make the trip.

A. PARR,

Senator, Twenty-third District.

W. R. MONTGOMERY,

Representative, Seventy-third District.

A. L. LEWIS,

Representative, Seventy-second District.

E. D. DUNLAP,

Representative, Seventy-fourth District.

R. L. BOBBITT,

Representative, Seventy-fifth District.

W. E. POPE,

Representative, Seventy-first District.

T. H. RIDGEWAY,

Senator, Twenty-fourth District.

E. G. LeSTOURGEON,

D. S. DAVENPORT,

H. B. DIELMANN,

B. T. HULL,

W. A. WILLIAMSON,

Representatives of Bexar County.

On motion of Mr. Carter of Coke, the House accepted the invitation unanimously.

RECESS.

On motion of Mr. Greer, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 169 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 169, relating to purchase and distri-

bution of free text books, on its passage to engrossment.

Mr. Dielmann moved the previous question on the engrossment of the bill, and the motion was not seconded.

Mr. Culp offered the following amendment to the bill:

Amend House bill No. 169 by inserting in line 34, after the words "December 1, 1922," the following: "Provided, such text books shall be revised to conform with the history and geographical changes made by the late war, and to be revised every two years to conform to changes of any kind affecting the history or geographical changes of this or any other nation, where said text book or books are taught in our public schools that shall be."

Mr. Brady moved that further consideration of the bill be postponed until February 15.

Mr. Carter of Coke moved to table the motion to postpone.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—93.

Abney.	Hendricks.
Arnold.	Houston.
Atkinson.	Howeth.
Baker of Orange.	Hughes.
Barker.	Hull.
Barrett.	Irwin.
Beasley.	Jacks.
Bird.	Jennings.
Burmeister.	Jones.
Cable.	Kemble.
Carpenter	Laird.
of Dallas.	Lane.
Carson.	LeMaster.
Carter of Coke.	LeSturgeon.
Collins.	Lewis.
Cowen.	Loftin.
Crawford.	McBride.
Culp.	McDaniel.
Davenport.	McDonald.
Davis.	McFarlane.
DeBerry.	McNatt.
Dielmann.	Melson.
Dodd.	Merriman.
Downs.	Merritt.
Driggers.	Miller.
Durham.	Morgan
Edwards.	of Liberty.
Faubion.	Morgan
Fields.	of Robertson.
Finlay.	Pate.
Green.	Perdue.
Greer.	Pinkston.
Hardin	Pope.
of Kaufman.	Potter.
Henderson	Rice.
of McLennan.	Robinson.

Rogers.	Stewart of Jasper.
Rountree.	Storey.
Rowland.	Stroder.
Russell	Teer.
of Callahan.	Thompson.
Russell of Trinity.	Turner.
Sackett.	Vaughn.
Shearer.	Wells.
Shires.	Westbrook.
Simpson.	Wessels.
Sparkman.	Williamson.
Stevens.	Wilmans.
Stewart	Winfree.
of Edwards.	Young.

Nays—27.

Avis.	Lamb.
Baldwin.	Martin.
Bell.	Mathes.
Brady.	Maxwell.
Bryant.	Moore.
Carpenter	Patterson.
of Matagorda.	Purl.
Chitwood.	Quaid.
Coffee.	Sanford.
Covey.	Satterwhite.
Duffey.	Smith.
Hardin of Erath.	Stewart of Reeves.
Harrington.	Sweet.
Henderson	Wallace.
of Marion.	Wilson.

Present—Not Voting.

Carter of Hays.

Absent.

Amsler.	Gipson.
Baker of Milam.	Johnson.
Blount.	Looney.
Bobbitt.	Lusk.
Bonham.	Montgomery.
Dinkle.	Patman.
Dunlap.	Pool.
Dunn.	Price.
Frnka.	Stiernberg.
Fugler.	Strickland.

Absent—Excused.

Harris.	Quinn.
Lackey.	Stell.
McKean.	Thrasher.

Mr. Dielmann moved to table the amendment by Mr. Culp.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—99.

Abney.	Barker.
Arnold.	Barrett.
Atkinson.	Beasley.
Avis.	Bird.
Baker of Orange.	Bonham.

Bryant.	McDonald.
Burmeister.	McFarlane.
Cable.	Maxwell.
Carpenter	Melson.
of Dallas.	Merriman.
Carson.	Merritt.
Carter of Coke.	Montgomery.
Carter of Hays.	Morgan
Cowen.	of Liberty.
Crawford.	Morgan
Davenport.	of Robertson.
Davis.	Pate.
DeBerry.	Patterson.
Dielmann.	Perdue.
Dodd.	Pinkston.
Downs.	Pool.
Driggers.	Pope.
Duffey.	Potter.
Dunn.	Price.
Durham.	Rice.
Faubion.	Robinson.
Fields.	Rogers.
Finlay.	Rountree.
Frnka.	Rowland.
Gipson.	Russell
Green.	of Callahan.
Greer.	Russell of Trinity.
Hardin	Sanford.
of Kaufman.	Shearer.
Henderson	Shires.
of Marion.	Simpson.
Henderson	Smith.
of McLennan.	Sparkman.
Houston.	Stevens.
Howeth.	Stewart
Hull.	of Edwards.
Irwin.	Stewart of Jasper.
Jacks.	Storey.
Jennings.	Stroder.
Johnson.	Teer.
Laird.	Thompson.
Lamb.	Thrasher.
Lane.	Turner.
LeMaster.	Vaughan.
LeStourgeon.	Wells.
Lewis.	Westbrook.
Loftin.	Wessels.
Looney.	Williamson.
McBride.	Winfree.
McDaniel.	

Nays—24.

Baldwin.	McNatt.
Bell.	Martin.
Brady.	Mathes.
Carpenter	Moore.
of Matagorda.	Purl.
Chitwood.	Quaid.
Coffee.	Sackett.
Covey.	Satterwhite.
Culp.	Stewart of Reeves.
Hardin of Erath.	Wallace.
Harrington.	Wilson.
Hughes.	Young.
Jones.	

Present—Not Voting.

Kemble.	Wilmans.
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Absent.

Amsler.	Fugler.
Baker of Milam.	Hendricks.
Bobbitt.	Miller.
Collins.	Patman.
Dinkle.	Stiernberg.
Dunlap.	Strickland.
Edwards.	Sweet.

Absent—Excused.

Blount.	McKean.
Harris.	Quinn.
Lackey.	Stell.
Lusk.	

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 169 was then passed to engrossment by the following vote:

Yeas—98.

Abney.	Henderson
Arnold.	of McLennan.
Atkinson.	Hendricks.
Avis.	Houston.
Baker of Orange.	Howeth.
Barker.	Hughes.
Barrett.	Hull.
Beasley.	Irwin.
Bird.	Jacks.
Bonham.	Jennings.
Burmeister.	Johnson.
Cable.	Kemble.
Carpenter	Laird.
of Dallas.	Lane.
Carson.	LeStourgeon.
Carter of Coke.	Lewis.
Carter of Hays.	Loftin.
Coffee.	Looney.
Cowen.	McBride.
Crawford.	McDaniel.
Davenport.	McDonald.
Davis.	McFarlane.
DeBerry.	Melson.
Dielmann.	Merriman.
Dodd.	Merritt.
Downs.	Miller.
Driggers.	Montgomery.
Duffey.	Morgan
Dunlap.	of Liberty.
Dunn.	Pate.
Durham.	Patman.
Faubion.	Patterson.
Fields.	Perdue.
Finlay.	Pinkston.
Frnka.	Pool.
Gipson.	Pope.
Green.	Rice.
Greer.	Robinson.
Hardin	Rogers.
of Kaufman.	Rowland.
Henderson	Russell
of Marion.	of Callahan.

Russell of Trinity.	Stroder.
Sackett.	Thompson.
Sanford.	Thrasher.
Shearer.	Turner.
Simpson.	Vaughan.
Sparkman.	Wells.
Stevens.	Westbrook.
Stewart	Wessels.
of Edwards.	Williamson.
Stewart of Jasper.	Wilmans.
Storey.	Young.

Nays—31.

Baldwin.	Mathes.
Bell.	Maxwell.
Blount.	Moore.
Brady.	Morgan
Bryant.	of Robertson.
Carpenter	Potter.
of Matagorda.	Price.
Chitwood.	Purl.
Covey.	Quaid.
Culp.	Rountree.
Hardin of Erath.	Satterwhite.
Harrington.	Smith.
Jones.	Stewart of Reeves.
Lamb.	Sweet.
LeMaster.	Wallace.
McNatt.	Wilson.
Martin.	Winfree.

Absent.

Amsler.	McKean.
Baker of Milam.	Shires.
Collins.	Stiernberg.
Dinkle.	Strickland.
Edwards.	Teer.
Fugler.	

Absent—Excused.

Bobbitt.	Lusk.
Harris.	Quinn.
Lackey.	Stell.

MOTION TO TAKE UP HOUSE BILL
NO. 169.

Mr. Pope moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 169 be placed on its third reading and final passage.

The motion was lost, not receiving the necessary four-fifths vote, by the following vote:

Yeas—102.

Mr. Speaker.	Barker.
Abney.	Barrett.
Arnold.	Beasley.
Atkinson.	Bird.
Avis.	Bonham.
Baker of Orange.	Burmeister.

Cable.	McDonald.
Carpenter	McFarlane.
of Dallas.	Melson.
Carson.	Merriman.
Carter of Coke.	Merritt.
Carter of Hays.	Miller.
Cowen.	Montgomery.
Crawford.	Morgan
Davenport.	of Liberty.
Davis.	Morgan
DeBerry.	of Robertson.
Dielmann.	Pate.
Dodd.	Patman.
Downs.	Perdue.
Driggers.	Pinkston.
Duffey.	Pool.
Dunn.	Pope.
Durham.	Potter.
Faubion.	Rice.
Fields.	Robinson.
Finlay.	Rogers.
Frnka.	Rowland.
Gipson.	Russell
Green.	of Callahan.
Greer.	Russell of Trinity.
Hardin	Sackett.
of Kaufman.	Sanford.
Henderson	Shearer.
of Marion.	Simpson.
Henderson	Sparkman.
of McLennan.	Stevens.
Hendricks.	Stewart
Houston.	of Edwards.
Howeth.	Stewart of Jasper.
Hughes.	Storey.
Hull.	Stroder.
Irwin.	Teer.
Jacks.	Thompson.
Jennings.	Thrasher.
Johnson.	Turner.
Kemble.	Vaughan.
Laird.	Wells.
Lane.	Westbrook.
LeStourgeon.	Wessels.
Lewis.	Williamson.
Loftin.	Wilmans.
Looney.	Winfree.
McBride.	Young.
McDaniel.	

Nays—28.

Baldwin.	McNatt.
Bell.	Martin.
Blount.	Maxwell.
Brady.	Moore.
Bryant.	Patterson.
Carpenter	Purl.
of Matagorda.	Quaid.
Chitwood.	Rountree.
Covey.	Satterwhite.
Culp.	Smith.
Hardin of Erath.	Stewart of Reeves.
Harrington.	Sweet.
Jones.	Wallace.
Lamb.	Wilson.
LeMaster.	

Absent.

Amsler.	Fugler.
Baker of Milam.	Mathes.
Coffee.	Price.
Collins.	Shires.
Dinkle.	Stiernberg.
Dunlap.	Strickland.
Edwards.	

Absent—Excused.

Bobbitt.	McKean.
Harris.	Quinn.
Lackey.	Stell.
Lusk.	

BILL AND RESOLUTIONS SIGNED
BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bill and resolutions:

S. B. No. 157, "An Act creating the Rankin Independent School District in Upton county, Texas; enlarging and defining its boundaries, including the present Rankin Independent School District; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms."

S. C. R. No. 11, In reference to State sovereignty.

S. C. R. No. 14, Relating to copying the portrait of David Crockett.

HOUSE BILL NO. 305 ON
ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

House bill No. 305, providing for uniformity in ad valorem taxes for State purposes.

The bill having heretofore been read second time.

(Mr. Jones in the chair).

Mr. Satterwhite offered the following amendment to the bill:

Amend House bill No. 305 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That Article 7407, Chapter 4, Title 126 of the Revised Civil Statutes

of 1911, be amended so as to hereafter read as follows:

"Article 7407. There is hereby created a State Tax Board which shall be composed of the Comptroller of Public Accounts, the Secretary of State, and a third member to be known as Tax Commissioner of the State of Texas, and designated as chairman of the State Tax Board. Except as herein otherwise provided, said chairman shall be appointed by the Governor in accordance with and subject to the provisions of Section 12, Article 4, of the Constitution of the State of Texas, and shall hold his office for a term of two years and until his successor shall be appointed and qualified. Provided that the Tax Commissioner of the State of Texas, under the provisions of the present laws, shall hereafter be known as, and shall perform the duties of chairman of the State Tax Board and shall hold his office until the expiration of the time for which he was originally appointed and until his successor shall have been appointed and qualified. Said chairman of the State Tax Board shall receive an annual salary of four thousand dollars (\$4000) payable in equal installments at the end of each month beginning with the taking effect of this act. A majority of said board shall constitute a quorum for the transaction of business. A record of the proceedings of said board shall be kept at the State Capitol and shall, at all times, be open for public inspection."

Sec. 2. That Article 7408, Chapter 4, Title 126, of the Revised Civil Statutes of 1911, be so amended as to hereafter read as follows:

"Article 7408. Before the chairman of the State Tax Board shall enter upon or proceed with the discharge of his official duties as chairman of the State Tax Board, he shall execute a bond payable to the State of Texas at Austin, in Travis county, Texas, in the sum of ten thousand dollars (\$10,000) with two or more good and sufficient sureties, or indemnity bonds, to be approved by the Governor, conditioned for the faithful discharge of his official duties as Chairman of the State Tax Board, and shall take and subscribe the oath of office prescribed by the Constitution of this State, which bond and oath shall be filed in the office of the Secretary of State."

Sec. 3. That Article 7409, Chapter 4, Title 126 of the Revised Civil Statutes

of 1911, be so amended as to hereafter read as follows:

"Article 7409. The State Tax Board may employ a secretary and such other assistants as may be necessary to properly administer the duties as the Legislature may, from time to time, impose upon said board, said secretary and assistants to receive such compensation as may be provided by law."

Sec. 4. That Article 7411, Chapter 4, Title 126, of the Revised Civil Statutes of 1911, be so amended as to hereafter read as follows:

"Article 7411. In addition to the duties and authority imposed or conferred upon said State Tax Board by either or all of the provisions of this chapter, there is hereby especially conferred and imposed upon the State Tax Board the power and authority of a State board of equalization, with full plenary power to find, ascertain, classify and equalize the valuation and assessment of all property, real, personal and mixed, tangible and intangible, subject to or rendered for taxation under the laws of the State of Texas heretofore, or hereafter to be enacted, governing the rendition and assessments of property subject to an ad valorem tax for State purposes; to enforce uniform standards of valuations, and causing all property subject to an ad valorem tax for State purposes to be assessed and enrolled upon the tax rolls of the various counties of the State at the reasonable cash market value of such property and said values to be arrived at in such manner and methods as may be provided by law. Said board may require of any tax payer, whether an individual, company, corporation or association having property, tangible or intangible, subject to taxation or to pay any tax under any revenue law of this State, to make out and deliver to said board a statement containing such information with reference to such property, tangible or intangible, as said board may deem necessary to the proper performance of the duties imposed upon it by this chapter."

Sec. 5. That Chapter 4, Title 126, Revised Civil Statutes, be amended by adding thereto Articles 7411a and 7411b, which shall read as follows:

"Article 7411a. Nothing contained herein shall be construed so as to in any manner affect the authority heretofore or which may hereafter be conferred upon county tax assessors to assess property

subject to an ad valorem tax for county purposes, nor to affect the authority heretofore or which may hereafter be conferred upon county boards of equalization to equalize such assessments for purposes of county taxation; provided, that the conclusions of the several county boards of equalization shall not be final as to valuations for the purposes of State taxation until the same be approved by the State Tax Board.

"Article 7411b. The chairman of the State Tax Board, or any member thereof, or any auditor or employe, acting under the authority of said board, shall for the purposes of this act have access to all public records dealing with, or having relation to the assessment, levy or collection of taxes; to examine and investigate the tax rolls of the various counties of the State, and to compare the valuation stated therein with such information the said board, or any member or employe thereof, may secure from other sources as to the value of said counties. Said board shall, from time to time, as may be deemed proper, certify to the assessor of each county statements containing the results of such investigations and comparisons, together with such instructions, or orders, it may enter in the premises to the end that assessments for the purposes of State taxation shall be uniform as near as may be among the various counties of the State."

Sec. 6. That Article 7415, Chapter 4, Title 126, of the Revised Civil Statutes of 1911, be so amended as to hereafter read as follows:

"Article 7415. Between the second day of January and the first day of March of each year, every individual, company, corporation and association embraced within the provisions of the next preceding articles of this chapter, or coming within its scope and intent, shall make out and deliver into the possession of the chairman of said State Tax Board a statement containing the information required of it by this chapter, which statement shall be duly verified by the affidavit of the individual, or one of the officers of the company, corporation or association in whose behalf it is made, or by the receiver, assignee or trustee in bankruptcy thereof."

Sec. 7. That Article 7417, Chapter 4, Title 126, Revised Civil Statutes of 1911, be so amended as to hereafter read as follows:

"Article 7417. The chairman of the

State Tax Board shall receive all tax statements rendered to him under the provision of this chapter, and shall endorse upon each the date of receipt thereof, signing such endorsement officially. Said State Tax Board shall examine all such statements as soon as may be practicable and, if said board shall deem any of them insufficient, or shall believe other or further information necessary or proper, said board shall at once demand of such individual, company, or corporation, or association, such additional statements and such further information as it may think proper."

Sec. 8. That Article 7418, Chapter 4, Title 126, of the Revised Civil Statutes of 1911, be so amended as to hereafter read as follows:

"Article 7418. On the first Monday after the first day of March of each year, or as soon thereafter as may be practicable, said chairman of the State Tax Board shall place before said State Tax Board all such statements, facts and information as may have come into its possession or knowledge under the provisions of this chapter."

Sec. 9. That Article 7423, Chapter 4, Title 126, of the Revised Civil Statutes of 1911, be amended so as to hereafter read as follows:

"Article 7423. Any county tax assessor and any member of the State Tax Board herein created or any other person affected by this act who shall violate or in any respect fail to comply with any of the provisions of this chapter, and any member of any county board of equalization, or any county tax assessor who shall modify or change, or vote to modify or change in any manner whatsoever the finding, valuation or apportionment of any property, real, personal or mixed, fixed, determined, declared or certified by said State Tax Board, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished as provided in the Penal Code."

Sec. 10. The fact that there exists great inequality and lack of uniformity in ad valorem taxation in this State for State purposes under our existing law, and the fact that this act is deemed to remedy this undesirable condition, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and that this act shall take effect and be in force from and after its passage,

and said rule is hereby suspended and it is so enacted.

Signed—Satterwhite, Maxwell and Culp.

Mr. Stewart of Jasper moved to postpone further consideration of the bill until 10 o'clock a. m. next Wednesday.

Question—Shall the motion of Mr. Stewart of Jasper prevail?

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, January 30, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 105, A bill to be entitled "An Act to amend Section 2 of Chapter 15 of the General Laws of the State of Texas, being Senate bill No. 4 of the Acts of the Thirty-first Legislature, passed at its Second Called Session in 1909, and being Article No. 466, Vernon Sayles' Revised Statutes of the State of Texas, providing for the creation of a State banking board, fixing the number of members thereof, and defining the duties and powers of said board, and declaring an emergency."

S. B. No. 109, A bill to be entitled "An Act to amend Section 31 of Chapter 15, being Senate bill No. 4 of the Acts of the Thirty-first Legislature of the State of Texas, passed at its Second Called Session in 1909, and being Article 515, Vernon Cayles' Revised Statutes of the State of Texas, and Article 522 of the Penal Code of the State of Texas, providing that all State banks or State bank and trust companies provided for in said act shall have the right to use any truthful method of advertising, prohibiting the use of any untruthful statements of advertising as to the Guaranty Fund System of the State banks of Texas, or the Bond Security Plan of the State banks of Texas, empowering the Banking Commissioner to enforce this law, fixing penalties for its violation, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 17, A bill to be entitled "An Act requiring the Board of Water Engineers and the State Reclamation Engineer, in conformity to the statutes

determining their powers and duties, to make, and cause to be made, and report to the Governor, an adequate topographic and hydrographic survey of the stream watersheds of the State, to the end that flood control, water conservation and economic utilization in reclamation development may be made practicable, advancing all such work as found feasible in accordance with the relative importance to the public welfare; directing the order in which said surveys and reports shall be made; providing for an appropriation to carry out the provisions of this act, and declaring an emergency."

And has refused to pass

S. B. No. 125, A bill to be entitled "An Act making it unlawful for any person to discharge any gun, pistol or any other firearm upon or across any public street, road or highway in this State and providing for a penalty for the violation thereof."

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

ADJOURNMENT.

On motion of Mr. Dodd, the House, at 3:25 o'clock p. m., adjourned until 3:26 o'clock p. m. Tuesday, January 30.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills as follows:

Municipal and Private Corporations—House bill No. 150.

Judicial Districts—House bill No. 309;; Senate bill No. 32.

Education—House bills Nos. 280, 332, 244; Senate bill No. 103.

Insurance—House bill No. 179.

Revenue and Taxation—House bill No. 151.

Appropriations—House bill No. 133.

State Affairs—House bill No. 3.

Game and Fisheries—House bill No. 44.

Judiciary—House bills Nos. 349, 335.

The following committees have filed adverse reports on bills as follows:

State Affairs—House bill No. 327.

Municipal and Private Corporations—House bill No. 31.

Education—House bill No. 247.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, January 29, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 155, A bill to be entitled "An Act to establish a State college in that portion of Western Texas lying west of the ninety-eighth meridian and north of the thirtieth parallel, to be known as the 'West Texas State College'; providing for the location of such college, its government, the control of its finances, defining its leading objects, and prescribing generally the nature and scope of instruction to be given; conferring upon the board of directors of said college the right of eminent domain; making necessary appropriations for the purchase of lands, the location, establishment and maintenance of said college, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, January 27, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 307, A bill to be entitled "An Act creating the Brackett Independent School District in Kinney county, Texas; defining its boundaries, including the present Brackett Independent School District; providing for a board of trustees in said district; conferring upon said district and its boards of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws upon independent school districts and the board of trustees thereof; providing that the present board of trustees shall continue in office until the expiration of their respective terms and validating their elections; providing that outstanding bonds shall remain chargeable against the territory which voted same; providing for an election for the purpose of assuming said bonded indebtedness by the district as herein

created; providing for the appointment of an assessor and collector and board of equalization for said district, and declaring an emergency,"

And find the same correctly engrossed.
PRICE, Vice-Chairman.

Committee Room,
Austin, Texas, January 27, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 105, A bill to be entitled "An Act creating and incorporating Webster Independent School District in Harris county, Texas, out of the territory now composing Common School Districts Nos. 19 and 13 of said county; providing that the title of the school property vested in said Common School Districts Nos. 19 and 13 shall vest in said Webster Independent School District, and that said independent school district assume the debts of said Common School Districts Nos. 19 and 13; providing for the board of trustees of said Webster Independent School District; providing the time and manner of their election; defining their powers and duties, and declaring an emergency."

And find the same correctly engrossed.
PRICE, Vice-Chairman.

Committee Room,
Austin, Texas, January 30, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 134, A bill to be entitled "An Act to amend Article 7383 of the Revised Civil Statutes of Texas of 1911, relating to the occupation tax based upon gross receipts of individuals, companies, corporations and associations engaged in the business of producing oil from oil wells in the State, as amended by Chapter 77 of the Acts of the Thirty-sixth Legislature of the State of Texas at its Regular Session; repealing Article 7383a as enacted by the Thirty-sixth Legislature, so that hereafter said Article 7383 shall read as follows, and declaring an emergency,"

And find the same correctly engrossed.
PRICE, Vice-Chairman.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, January 30, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 17, "An Act requiring the Board of Water Engineers and the State Reclamation Engineer, in conformity to the statutes determining their powers and duties, to make, and cause to be made, and report to the Governor, an adequate topographic and hydrographic survey of the stream watersheds of the State, to the end that flood control, water conservation and economic utilization in reclamation development may be made practicable, advancing all such work as found feasible in accordance with the relative importance to the public welfare; directing the order in which said surveys and reports shall be made; providing for an appropriation to carry out the provisions of this act, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day at 4:45 o'clock p. m., presented same to the Governor for his approval.
HENDRICKS, Chairman.

EIGHTEENTH DAY.

(Tuesday, January 30, 1923.)

The House met at 3:26 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Carpenter
Arnold.	of Dallas.
Atkinson.	Carpenter
Avis.	of Matagorda.
Baker of Orange.	Carson.
Baldwin.	Carter of Coke.
Barker.	Carter of Hays.
Barrett.	Chitwood.
Beasley.	Coffee.
Bell.	Collins.
Bird.	Covey.
Blount.	Cowen.
Bonham.	Crawford.
Brady.	Culp.
Bryant.	Davenport.
Burmeister.	Davis.
Cable.	DeBerry.